

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, February 6, 2012
7:00 PM**

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:00 pm by Chair Jones in the Selectmen's Meeting Room. Selectmen Firenze and Interim Town Administrator Kellie Hebert were present. Selectman Paolillo arrived at 7:02.

ACTION BY WRITING

MWRA Interest-Free Water Bond for Local Pipeline Assistance Program

Mr. Floyd Carmen, Treasurer, appeared before the Board to discuss the MWRA interest-free water bond for the local pipeline assistance program. The bond is for \$1M, over a period of ten years. He requested that the Board sign the bond note; the Selectmen did so.

QUESTIONS FROM TOWN RESIDENTS

[There were none.]

ACTION BY APPOINTMENT

Verizon Petition 12/11-01

Ms. Ellen Joy, from Verizon, appeared before the Board to discuss the Verizon Petition (12/11-01). Chair Jones noted that the petition paperwork was in order. Selectman Firenze asked if the double poles issue has been taken care of. He noted that this has been an on-going problem with Verizon throughout town. The Board noted that they will not approve the next petition if this issue is not resolved. Ms. Joy said that she would bring this issue up to the appropriate people at Verizon.

The Board moved: To approve the Verizon petition 12/11-01.
The motion passed unanimously (3-0).

Proposed Screening Committee for Permanent Town Administrator (TA)

Mr. Rich Kelliher, former Interim TA, and Ms. Mary Flanders Arcadi, the Collins Center Representative, appeared before the Board to discuss the membership of the Screening Committee which is being compiled to assist in the search for the permanent Town Administrator position. Mr. Kelliher noted that a fifth member (this member will be a

citizen of Belmont) is still needed to be appointed and, once that happens, an organization meeting of the committee will be called. The Board discussed that the Chairs of the various aforementioned bodies in town will be the representatives to the committee.

The Board moved: To appoint Ms. Judith Ananian Sarno as the Citizen's representative to the TA search committee.

The motion passed unanimously (3-0).

Mr. Kelliher asked if the Board would like to approve the TA profile. He noted that adjustments have been made to the profile. Ms. Arcadi said that the profile, once approved, will become the marketing tool for the position. The profile, she added, is the tool that will aid the selection committee in filling the position.

The Board moved: To accept the profile as well as the revision to the charge to the selection committee.

The motion passed unanimously (3-0).

Selectman Paolillo asked about the next steps in the process. Ms. Arcadi outlined some of the next steps, noting that once resumes are received, interviews will begin, and the Selectmen will review a short-list of final candidates. She said the Board should begin its interview process by early May.

ACTION BY CONSENT

Common Victualler's License

C.E. Restaurant, 271 Belmont Street

Gustazo-Cuban Café LLC, 289 Belmont Street

The Board moved: To approve the license requests for the establishments noted above.

The motion passed unanimously (3-0).

Town Administrator's Report

Ms. Hebert reported on the following items:

- Ms. Hebert distributed the FY12-Q2 budget report for the Board to review. She noted that this report will be forwarded to the Warrant Committee. She highlighted some the adjustments to the budget report. The Board discussed the appropriation of the FEMA money as well as the \$138K from the state.

Selectman Firenze Other:

- He asked how Belmont could apply for the “new communities innovation challenge” grant. Ms. Hebert said this and other grant possibilities have been communicated to the respective department heads for follow-up.
- He asked about an inquiry from the Watertown Historical Society regarding the Trapelo Road project. Ms. Hebert informed the Board that this inquiry has been forwarded to Mr. Clancy’s office.
- He asked about the Audit Report, which Selectman Paolillo said was acceptable.
- The MMA bulletin noted the park grants that were available. He requested that Belmont also follow up on these grant possibilities as the town has numerous needs, e.g., park refurbishment. Ms. Hebert said she would follow up on this and will prepare a report for the board for a future meeting.

Vote to Convene as Belmont Municipal Light Board (BMLB).

The Board moved (at 7:31 pm): To convene as the BMLB.
The motion passed unanimously (3-0).

Discussion of Municipal Light Substation Warrant Article #2, for Special Town Meeting to be Held on February 8, 2012

Mr. Jim Palmer, BMLD General Manager, Mr. Ashley Brown, Chair of the BML Board, and Mr. McLaughlin appeared before the Board to discuss Warrant Article 2.

Chair Jones noted that the purpose of this meeting was to answer the public’s questions and address its concerns pertaining to Warrant Article 2. He said that postponing the Article was useful as the Warrant Committee is now unanimous in its support and important questions have been answered. Chair Jones noted that there are two amendments to this article.

The first amendment, he said, changes the amount of the project (from \$60M to \$53.7M); the second amendment notes that all options will be pursued, specifically (but not limited to) the 13.8 kV option recently proposed by NSTAR. He explained the second amendment in more detail, specifically that the 13.8 kV option would add additional lines. Chair Jones said this opens up more possibility to get the best quotes and more competition overall.

Selectman Firenze said it is important to note that the 115 kV option has huge benefits and that the 13.8 kV route should only be pursued if there is substantial savings to do so. Mr. Brown agreed that, from a technical stand-point, the 115 kV option is superior. Mr. Palmer elaborated on this point and noted that the 115 kV option offers engineering benefits as well as the best fiscal benefits for Belmont.

Selectman Paolillo highlighted another benefit of the 115 kV option, which is to receive grid benefits.

The Board discussed the details of the 115 kV option.

Mr. Vincent Stanton, from the audience, asked about the New England ISO reimbursement. He said the criteria is presently unclear and he asked about the specific plan in place. Mr. Brown offered an explanation to these concerns. He noted that the ISO benefits are spread throughout New England.

The Board discussed the ISO process and the [PTF?] status. Chair Jones thanked the members present for taking the time to explore this issue over the past three weeks.

The Board moved: To approve Article 2 as amended and as presented by Chair Jones.

The motion passed unanimously (3-0).

Selectman Firenze raised a question about the two-month deposit required by businesses since some are not paying their electric light bills. He requested that a new, consistent approach be developed since the existing approach is not working. Mr. Palmer said that the policy is in place, but he agreed that Belmont lost \$50K last year from businesses that went bankrupt. Selectman Firenze said the policy needs to be consistent across the board for businesses.

Reconvene as Board of Selectmen

The Board moved (at 8:02 pm): To adjourn the light board meeting and to reconvene as the Board of Selectmen.

The motion passed unanimously (3-0).

Approval of License Agreement Between the Town of Belmont and Architectural Heritage Foundation (AHF) for the Use of 303 Concord Avenue for the Temporary Storage for the Historic Thomas Clark House

Mr. Michael Smith from the HDC, Mr. Sean McDonnell from the AHF, and Mr. George Hall from Town Council, appeared before the Board to seek approval for a license agreement between the Town of Belmont and the Architectural Heritage Foundation (AHF) for the use of 303 Concord Avenue for the temporary storage for the Historic Thomas Clark House.

Mr. Smith noted that the AHF (which has 501 3c status) will take ownership of the Clark House, will sign the lease, pay the bills, and will be responsible for relocating the house to the temporary site. Mr. Smith then explained some of the process changes that occurred with the Clark House. Selectman Paolillo asked questions regarding the insurance policy, the ownership, the license, etc. He noted that he wants to make sure the community is protected.

Mr. Hall responded that there is no recourse with regard to the license, but that the insurance policy is well explained. He said that the \$65K in donations should be sufficient to move the house.

The Board discussed the details of the relocation of the Clark House. The Board discussed some of the contingencies in place should things not go well in relocating the house. Mr. McDonnell explained what the AHF does professionally, how this process will work going forward, and what happens if the project fails, i.e., the liability.

Selectman Paolillo requested the evidence on Wednesday night before a Board vote takes place.

The Board moved: That the Town of Belmont be authorized to enter into a License Agreement with the Architectural Heritage Foundation (“Licensee”) to utilize 301-303 Concord Avenue for the temporary storage of the Thomas Clark House (the “House”) subject to the following terms, which are more fully set forth in the draft License Agreement dated February 2, 2012:

- that the House will be owned by the Licensee as its personal property;
- that transport, maintenance, and security of the House will be the responsibility of the Licensee;
- that the House will be placed on a portion of 301-301 Concord Avenue shown as the Licensed Premises on a Site Plan and submitted to the Board of Selectmen and the Town Clerk’s Office;
- that the term of the License shall be between February 11, 2012 and January 31, 2012, unless it is terminated earlier by either party as provided in the License Agreement and that the Town will have the option, at its sole discretion, of extending the term for an additional four months at the Licensee’s request;
- that Licensee shall make all reasonable efforts to locate a permanent site for the House and that the License shall terminate within fifteen days of notice from the Licensee that it has found a permanent site;
- that the Licensee shall be responsible for compliance with all applicable federal, state, and local laws and for obtaining any permits, licenses, or approvals necessary to use the License;
- that the Licensee shall indemnify, defend, and hold harmless and reimburse the Town for any loss, cost, damage, or expense (including reasonable attorneys’ fees and court costs) arising from its use License;
- that the Licensee shall maintain adequate insurance to meet its obligations under the License Agreement;
- that the Licensee shall erect and maintain a fence around the House, and
- that the Licensee shall remove the House and any other property from the licensed premises immediately upon termination of the agreement and that if it fails to do so, the Town reserves the right, upon 24 hours prior written notice, to remove or demolish the House and remove any other property of

the Licensee and to seek prompt and full reimbursement from the Licensee for all related costs.

- There shall be a written pledge from AHF of funds sufficient to ensure the licensee's obligation to remove the house at the end of the license term.

The motion passed unanimously (3-0).

The Board moved to adjourn the meeting at 8:22 pm.

Ms. Hebert, Acting Town Administrator